

(PCT Article 36 and Rule 70)

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/012864

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-6 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-13 _____ received by this Authority on 14.09.2005 with letter of 14.09.2005
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/1 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	<u>1-13</u>	YES
	Claims		NO
Inventive step (IS)	Claims	<u>1-13</u>	YES
	Claims		NO
Industrial applicability (IA)	Claims	<u>1-13</u>	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
<p>1. This report makes reference to the following documents:</p> <p>D1: US-A-4 583 435 (FESSLER ET AL) 22 April 1986 (1986-04-22)</p> <p>2. D1 is regarded as the prior art closest to the subject matter of claim 1. It discloses (the reference signs in parentheses refer to D1): a device for slicing foodstuffs with a straight loading pinion (26) that is rotatably mounted about an axis (25) (figure 3).</p> <p>Therefore, the subject matter of claims 1 and 12 differs from this known device in that the loading pinion is curved in the slicing position and horizontally oriented in the loading position such that the block of foodstuff is bent when the loading pinion is repositioned.</p> <p>Consequently, the subject matter of claim 1 is novel (PCT Article 33(2)).</p> <p>2. The problem to be solved by the present</p>			

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	<p>invention can therefore be regarded as that of preventing the outer end of the block from vibrating when long foodstuff blocks are loaded rapidly.</p> <p>Loading pinions with variable positions are already used in order to facilitate loading of the products to be sliced, and therefore the known loading pinions have various configurations that are intended for this purpose but do not prevent the occurrence of what is known as the catapult effect (i.e. the vibrating of the outer end of the block).</p> <p>Therefore, the solution to this problem as proposed in claims 1 and 12 of the present application involves an inventive step (PCT Article 33(3)).</p> <p>3. Claims 2 to 11 and 13 are dependent on claims 1 and 12, respectively, and therefore likewise meet the PCT requirements for novelty and inventive step.</p>